

REQUEST FOR JUDICIAL NOTICE

Pursuant to Rule 201 of the Federal Rules of Evidence,
Defendant/Appellant Leslie Klein ("Appellant" or "Klein") requests the Court
to take judicial notice of the following documents, which are attached as
exhibits hereto, in ruling on Appellees' Motion to Dismiss the Appeal of
Appellant.

- I. **AMENDED NOTICE OF RELATED CASES [CIV.L.R. 3-12]**
- II. **DOCKET OF MERMELSTEIN**
- III. **DOCKET OF BERGER**
- IV. **DECLARATION OF ERIC J. OLSON IN RESPONSE TO
PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT FILED
FEBRUARY 12, 2024 IN BANKRUPTCY COURT CASE 2:23-AP-
01153-SK (DOC 52) INCLUDING, INTER ALIA, EXHIBITS**

- A. Letter of Baruch C. Cohen, Esq. dated November 27, 2023 to Leslie
Klein "giving you a professional courtesy notice of our intentions to
pursue a default against you" and citing legal citations.
- B. Letter of Eric J. Olson dated November 29, 2024 to Baruch C. Cohen,
Esq. on behalf of Leslie Klein (in pro se) to give him an opportunity to
file an Answer (hopefully by December 8, 2023) citing Ahanchian v.

**APPELLANT'S OPPOSITION TO MOTION TO DISMISS APPEAL FOR FAILURE TO PROSECUTE;
REQUEST FOR JUDICIAL NOTICE; DECLARATION OF ERIC J. OLSON IN RESPONSE TO MOTION
TO DISMISS**

1 Xenon Pictures, Inc. (9th Cir. 2010) 624 F.3d 1253 and attaching Civil
2 Procedure before Trial (TRG) 5.29-5.29(1)(h).
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4 C. Email dated December 8, 2023 to Baruch C. Cohen, Esq. renewing
5 request in Letter dated November 29, 2023.
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7 Rule 201(b) of the Federal Rules of Evidence allows the Court to take
8 judicial notice of “a fact that is not subject to reasonable dispute because it:
9 (1) is generally known within the trial court’s territorial jurisdiction; or (2) can
10 be accurately and readily determined from sources whose accuracy cannot
11 reasonably be questioned”.
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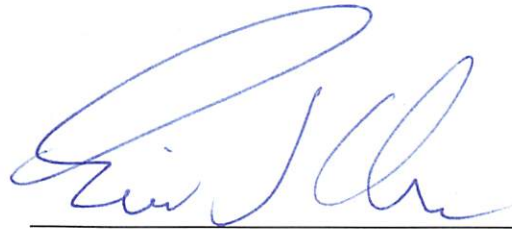
13 Rule 201(c) of the Federal Rules of Evidence states that the Court: “(1)
14 may take judicial notice on its own; or (2) may take judicial notice if a party
15 requests it and the court is supplied with the necessary information”.
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18 The 2011 Advisory Committee Notes to Rule 201 states, inter alia, that
19 “the traditional textbook treatment has included these general categories
20 (matters of common knowledge, facts capable of verification), McCormick
21 §§ 324, 325, and then has passed on into detailed treatment of such
22 specific topics as facts relating to the personnel and records of the Court,
23 Id. § 327, and other governmental facts, Id. § 328”.
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26 The documents referenced herein are the filed records of the underlying
27 Bankruptcy proceedings, filed in United States Bankruptcy Court, Central
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1 District of California, Case No.: 2:23-bk-10990-SK, and the records of the
2 underlying Adversary Proceedings brought against Appellant, filed in the
3 United States Bankruptcy Court, Central District of California, Case No.:
4 2:23-ap-01153-Sk. Therefore, it is proper for the Court to take notice of said
5 documents.
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9 Dated: August 29, 2024
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12 Eric J. Olson
13 Attorney for Appellant Defendant
14 Judgment Debtor Leslie Klein
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16 **DECLARATION OF ERIC J. OLSON**

17 Eric J. Olson states:

- 18 1. I am the attorney for Leslie Klein, Defendant / Appellant herein. I was
19 attorney of record for a brief period of time in the summer of 2023
20 and dealt with attorney for Appellees at that time, but was substituted
21 out in favor of another attorney. Mr. Klein, an attorney, was in pro se
22 from October 11, 2023 until after the events dealt with in this Motion
23 including at the time of Mr. Cohen's letter of November 27, 2023 and
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